

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Allegation of Corruption against Sri Kante Rajender, Senior Assistant-Cum-Auditor, Office of the Pay and Accounts Officer (I.W) LMD Colony, Karimnagar District – Trapped by A.C.B. Officials on 04.10.2008 – Sanction of Prosecution - Orders – Issued.

FINANCE (WORKS & PROJECTS) DEPARTMENT

G.O.Ms.No. 3

Dated: 6.7.2009

ORDER:

Whereas, Sri Kante Rajender is working as Senior Assistant-cum-Auditor, Office of the Pay and Accounts Officer, (IW) LMD Colony, Karimnagar District, during the period from 15.07.2002 to 04.10.2008 and as such he is public servant within the meaning of clause (c) of section 2 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988);

2. And whereas, it is alleged that, Sri Jangili Krishnananda Reddy R/o Jagitial and is doing contract civil works under the name and style of M/s Laxmi Ganga S.C., B.C., Labour contract mutually aided Co-operative Society Ltd., of the various Govt. Engineering sections through the tenders;

3. During the year 2005-06 under MPLAD funds he got two packages i.e. 1) Padmashali – Nayibrahmans and 2) Munnurukapu – Kurma community halls at Jagitial Rs.4.00 lakhs to each package i.e. total of Rs.8.00 lakhs through Executive Engineer, Public Health Department, Karimnagar by calling tenders including other works. After getting the same, the complainant started the work and completed the community buildings of Padmashali and Nayibrahmans. The remaining package i.e. construction of Community buildings of Munnurukapu and Kurma Communities was unable to take up the same due to land dispute and cancellation of work. On 5.09.2008 after MB recording of community buildings of Padmashali and Nayibrahmans the Public Health Division, Karimnagar forwarded the file to the Pay and Accounts Office, IW., L.M.D. Colony, Karimnagar for final payment of Rs.87,807/-. In this regard Sri Kante Rajender, Senior Assistant-Cum-Auditor who is concerned demanded to pay an amount of Rs.2,000/- as bribe to process and forward the said files bearing No.MB No.1566/PHK-1567/PHK and the BTR No.151, Token No.6964, Dated 25.09.2008 pertaining to the bill of constructed work of Community buildings of Padmashali and Nayibrahmans and return of E.M.D. amount through HR (hand receipt) of the cancelled work respectively. On that Sri J.Krishnananda Reddy expressed his inability to pay such huge amount as bribe, but Sri K.Rajender did not heed to the plea of Sri J.Krishnananda Reddy and told him that until and unless he pays the demanded bribe amount the files would not be processed and forwarded to the Pay & Accounts Officer for preparation of check. Upon which Sri J.Krishnananda Reddy vexed with attitude of Sri K.Rajender. Sri J.Krishnananda Reddy requested Sri K.Rajender to process and forwarded the files (1) Package work of Padmashali and Naibrahmans Community buildings at Jagitial and (2) to return of E.M.D. amount of Munnurukapu - Kurma Community halls package. But, Sri Kante Rajender has demanded to pay bribe of Rs.2,000/- to process and forward the files (1) Package work of Padmashali and Naibrahmans Community buildings at Jagitial and (2) to return of E.M.D. amount of Munnurukapu - Kurma Community halls package. On which Sri J.Krishnananda Reddy expressed his inability to pay the bribe amount, Sri K.Rajender did not heed to his request. As Sri J.Krishnananda Reddy is not willing to pay the demanded bribe amount to Sri K.Rajender, approached the Inspector of Police, A.C.B., Karimnagar Range, Karimnagar on 03.10.2008 at 11 AM and lodged a written complaint in Telugu against Sri K.Rajender and requested to take necessary legal action against the said official;

4. And whereas, the Inspector, A.C.B. after due verification registered the said complaint as a case in Cr.No.18/ACB-KNR/2008, under section 7 of the Prevention of Corruption Act, 1988 on 4.10.2008 at 12.30 PM and investigated into;

5. And whereas, on 04.10.2008 at 3.00 P.M. when Sri J.Krishnananda Reddy approached, and met Sri K.Rajender, Senior Assistant-Cum-Auditor, Office of the Pay and Accounts Officer, (IW) LMD Colony, Karimnagar and requested to forward the files (1) Package work of Padmashali and Naibrahmans Community buildings at Jagitial and (2) to return of E.M.D. amount of Munnurukapu - Kurma Community halls package. But, Sri Kante Rajender has demanded to pay bribe of Rs.2,000/- to process and forward the files (1) Package work of Padmashali and Naibrahmans Community buildings at Jagitial and (2) to return of E.M.D. amount of Munnurukapu - Kurma Community halls package. On which Sri K.Rajender enquired whether he brought the demanded bribe amount Rs.2,000/-. On affirmative reply, Sri K.Rajender asked him to pay the amount, accordingly he paid amount to Sri K.Rajender who received the amount and kept in his right side pant pocket. The sodium carbonate solution test was conducted over the right and left hand fingers of Sri K.Rajender, Senior Assistant-Cum-Auditor, Office of the Pay and Accounts Officer, (IW) LMD Colony, Karimnagar District. Right hand fingers yielded positive results, and the left hand fingers remained colourless. Inner contact portion of wearing right side pant pocket of Sri K.Rajender also yielded positive results when subjected to sodium carbonate solution test. The tainted currency amount of Rs.2,000/- was recovered from the pant pocket of Sri K.Rajender in the presence of mediators, connected documents/Records of Sri J.Krishnananda Reddy were seized from the wooden box which was there beside the Chair of Sri K.Rajender in the presence of mediators;

6. And whereas, the above said act of Sri K.Rajender, Senior Assistant-Cum-Auditor, Office of the Pay and Accounts Officer, (IW) LMD Colony, Karimnagar constitutes an offence punishable under section 7 and sub section (2) of section 13 readwith clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988);

7. And whereas, the Government of Andhra Pradesh being the competent authority to remove the said Sri K.Rajender, Senior Assistant-cum-Auditor, Office of the Pay and Accounts Officer, (Irrigation wing), LMD Colony, Karimnagar District from Government Service after carefully examining the material (FIR, Pre-trap and Post-trap proceedings) placed before them in respect of the said allegations and having regard to the facts and circumstances of the case considered that, the said Sri K.Rajender, Senior Assistant-cum-Auditor, should be prosecuted in a competent court of law for the aforesaid offences;

8. Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988) hereby accord sanction for the prosecution of the said Sri K.Rajender, Senior Assistant-cum-Auditor, Office of the Pay and Accounts Officer (Irrigation Wing), LMD Colony, Karimnagar District for the offences punishable under section 7 and sub-section (2) of section 13 read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act., 1988 (Central Act, 49 of 1988) and for any other cognate offence punishable under any other provisions of law for the time being in force in respect of the above said acts and for taking cognizance of the said offence by the court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(S.E.SEKHAR BABU)
SECRETETARY TO GOVERNMENT